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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,240	11/25/2003	Wen Hsiang Yueh	MR1957-804	4357
4586	7590	08/04/2004	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			HARVEY, JAMES R	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 08/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/720,240

Applicant(s)

YUEH, WEN HSIANG

Examiner

James R. Harvey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11-25-03 (original papers).
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

- The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

-- In reference to Claim(s) 1-7, the recitation "semi-spherical housing" is not supported by the drawings. The drawings show semi-semi-spherical housings or housings with semi-spherical surfaces, but not a complete sphere.

-- In reference to Claim(s) 1, line 23, the recitation "retaining rim" is described on page 5, line 20, but has not been assigned an element number and is not shown in the drawings.

-- The above feature(s) must be shown or the feature canceled from the claim. No new matter should be entered.

- **Please note that drawing corrections will no longer be held in abeyance. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application.**
- **If drawing correction are not submitted with the response to this office action, the response will be consider a Non-Responsive Reply and the following paragraph will apply:**

The reply filed on (...) is not fully responsive to the prior Office Action because: (...)
Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Claim Objections

- Claim(s) 1-7 are objected to because of the following informalities:

-- In reference to Claim(s) 1-7, the recitation “semi-spherical housing” is not supported by the drawings. The drawings show semi-semi-spherical housings or housings with semi-spherical surfaces. For purposes of examination, it is assumed that the language is intended to mean “semi-semi-spherical housings”. An examination based on the merits, as best understood, is addressed below.

-- In reference to Claim(s) 1-7, the recitation “an aperture diameter adjacent the second opening” (line 21 (claim 5) is seen to be an error. The diameter and opening are seen in the drawings to be concentric, the drawings are not seen to support “adjacent”. For purposes of examination, it is assumed that the language is intended to mean “concentric”. An examination based on the merits, as best understood, is addressed below.

-- In reference to Claim(s) 1, line 23, the recitation “retaining rim” is described on page 5, line 20, but has not been assigned an element number and is not shown in the drawings. For purposes of examination, it is assumed that the language is intended to mean an outer circumference. An examination based on the merits, as best understood, is addressed below.

-- In reference to Claim(s) 5, line 19, the recitation “semi-spherical housing partially” is seen to be a typographical error. For purposes of examination, it is assumed that the language is intended to mean “semi-spherical housing to be partially”. An examination based on the merits, as best understood, is addressed below.

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-- In reference to Claim(s) 5, line 22, the recitation "mating portion" lacks proper antecedent basis. For purposes of examination, it is assumed that the language is intended to mean "opening". An examination based on the merits, as best understood, is addressed below.

-- Appropriate response to the above is required.

Claim Rejections - 35 USC § 103

• The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**** Claim(s) 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engelmores (4533796) in view of Price et al. (6547602).**

-- In reference to Claim(s) 1, Engelmores shows (cover sheet)

a main body 56 (figure 2) having a first pivotal portion (near lead line of numeral 92) connecting an end thereof the first pivotal portion including a first hollow semi-spherical housing 92, and a first mating portion (near the lead line of numeral 80) formed on a free end of the first hollow semi-spherical housing 92; and

a RJ telephone socket 50 mating body relative to the main body 56, and having a second pivotal portion (near the lead line of numeral 96) connecting an end thereof and a RJ socket interface 52 disposed on an opposite end thereof;

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the second pivotal portion corresponding to the first pivotal portion, and the RJ socket interface 52 being relative to the port (figure 1) of the electrical product 13, wherein the second pivotal portion includes a second hollow semi-spherical housing 96 and a second mating portion (near the lead line of numeral 98) formed on free end of the second hollow semi-spherical housing 96;

the second hollow semi-spherical housing 96 has an internal diameter longer than an external diameter of the first hollow semi-spherical housing 92, and the second hollow semi-spherical housing 96 is loosely matched with the first hollow semi-spherical housing 92 for the first hollow semi-spherical housing 92 to be partially and loosely wrapped in the second hollow semi-spherical housing 96;

the second hollow semi-spherical housing 96 has an aperture diameter concentric with the second mating portion and shorter than the external diameter of the first hollow semi-spherical housing 92 to prevent the second hollow semi-spherical housing 96 from escaping out of the first hollow semi-spherical housing; and

the first hollow semi-spherical housing 92 has an outer circumference contacting and sliding on the second hollow semi-spherical housing 96 for adjusting a relative displacement there between,

the second hollow semi-spherical housing 96 can be manipulated with no angular limitations and rotated in multiple directions.

However, the claim requires a USB connector not the RJ connector shown by Engelmores.

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Price teaches that various other connectors could be used instead of the RJ (column 10, lines 5-9) and specifically includes the USB as one of the various types that can be substituted for the RJ connector.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Price to change the RJ type connector to a USB connector because, as taught by Price (abstract line 13), it will enable electrical components to be operably connected to a similar equipped component.

-- In reference to Claim(s) 5, Engelmores shows (cover sheet)

two hollow semi-spherical housings mating with each other and defining a first hollow semi-spherical housing 92 and a second hollow semi-spherical housing 96, the first hollow semi-spherical housing 92 having a first opening (near the lead line of numeral 80) formed in an end thereof and the second hollow semi-spherical housing 96 including a second opening 100 formed in an end thereof and relative to the first opening;

the second hollow semi-spherical housing 96 has an internal diameter longer than an external diameter of the first hollow semi-spherical 92 housing, and the second hollow semi-spherical housing 96 is loosely matched with the first hollow semi-spherical housing 92 for the first hollow semi-spherical housing 92 to be partially and loosely wrapped in the second hollow semi-spherical housing 96; and

the second hollow semi-spherical housing 96 has an aperture diameter (near the lead line of numeral 98) concentric with the second [mating portion] opening and shorter than the external diameter of the first hollow semi-spherical housing to prevent the second hollow semi-spherical housing 96 from escaping out of the first hollow semi-spherical housing 92;

the first hollow semi-spherical housing 92 contacts and slides on the second hollow semi-spherical housing 96 for adjusting a relative displacement there between, and

one of the two hollow semi-spherical housings is manipulated with no angular limitations and rotated around the other in multiple directions.

Engelmore shows at least one RJ interface disposed on one of the two hollow semi-spherical housings for mating with an electronic product having a RJ port.

However, the claim language requires a USB connector instead of a RJ connector as shown by Engelmore.

Price teaches that various other connectors could be used instead of the RJ (column 10, lines 5-9) and specifically includes the USB as one of the various types that can be substituted for the RJ connector.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Price to change the RJ type connector to a USB connector because, as taught by Price (abstract line 13), to enable electrical components to be operably connected to a similar equipped component.

-- In reference to Claim(s) 2, Engelmore as modified by Price shows (cover sheet) the first hollow semi-spherical housing 92 has a first cavity formed therein communicating with a second cavity formed in the second hollow semi-spherical housing 96, and a plurality of electrical cables 80 penetrate through the main body and the USB mating body and electrically connect the main body and the USB interface.

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-- In reference to Claim(s) 3 and 6, Engelmores as modified by Price shows (cover sheet) the main body is a portable electronic device 11.

-- In reference to Claim(s) 4 and 7, Engelmores as modified by Price shows (cover sheet) the main body is a USB adapter having at least one data transmitting interface (wire 44).

Conclusion

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Effective May 1, 2003, the United States Patent and Trademark Office has a new Commissioner for Patents address. Correspondence in patent related matters must now be addressed to:

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

For additional information regarding the new address, see Correspondence with the United States Patent and Trademark Office, 68 Fed. Reg. 14332 (March 25, 2003).

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• The prior art listed on PTO form 892 that is made of record and not relied upon is considered pertinent to applicant's disclosure because it shows the state of the art with respect to applicant's claimed invention. In particular, Lin et al. (2004/0105329) shows the ball contact and USB combination.

• Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 703-305-0958. The examiner can normally be reached on 8:00 A.M. To 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 extension 33.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2800.

- Effective **October 1, 2003**, all patent application related correspondence transmitted by facsimile must be directed to the central facsimile number, **(703) 872-9306**, with a few exceptions. *See Fax Automation in Technology Center 1700, 1237 Off. Gaz. Pat. Office 140* (August 29, 2000). Replies to Office actions including after-final amendments that are transmitted by facsimile must be directed to the central facsimile number. Unofficial correspondence such as draft proposed amendments for interviews may continue to be transmitted by facsimile to the Technology Centers. *See Fax Automation in Technology Center 1700, 1237 Off. Gaz. Pat. Office 140* (August 29, 2000).

James R. Harvey, Examiner

jrh
July 29, 2004


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